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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

CENTER FOR BIOLOGICAL DIVERSITY,

Plaintiff,

v.

THE OFFICE OF MANAGEMENT AND

BUDGET,

Defendant.

Civil Action No.: C-07-4997 MHP

**~~[PROPOSED]~~ STIPULATION RE
CASE MANAGEMENT
CONFERENCE DATE**

Date: October 19, 2009

Time: 2:00 p.m.

Court: 15, 18th Floor

1 Plaintiff, the Center for Biological Diversity (the "Center"), and defendant, the Office of
 2 Management and Budget ("OMB"), by and through their undersigned counsel, hereby submit the
 3 following Proposed Stipulation Re Case Management Conference Date.

4 As this Court is aware, OMB recently located additional documents responsive to the Center's
 5 FOIA request that have not been submitted for *in camera* inspection to Magistrate Judge Zimmerman.
 6 OMB has released a number of these documents to the Center, and the parties are presently engaged in
 7 discussions about some additional documents OMB may release to the Center, whether other documents
 8 are subject to the Court's summary judgment rulings, whether all remaining documents should be
 9 released to the Center, or whether they should be submitted for *in camera* inspection. The parties are
 10 hopeful that the matter can be resolved between themselves, and thus request that the date on which the
 11 Center must file any request for immediate release of the remaining documents, the date of any response
 12 by OMB, and the date of the next Case Management Conference, be delayed by two weeks.

13 Subject to the Court's approval, the parties stipulate and have agreed that (1) the Center shall
 14 have until October 27, 2009 at 4:00 p.m. to file any request for immediate release of the remaining,
 15 recently located documents; (2) OMB shall have until October 29, 2009 at 4:00 p.m. to file a responsive
 16 brief, if any; and (3) the next Case Management Conference take place on November 2, 2009 at 3:00
 17 p.m.

18 Dated: October 16, 2009

JOSEPH P. RUSSONIELLO
 United States Attorney

20 By: _____/s/_____
 MICHAEL T. PYLE
 Assistant United States Attorney
 Attorney for Defendant OMB

23 VERA PARDEE

25 By: _____/s/_____
 Attorney for Plaintiff Center for Biological
 Diversity

PURSUANT TO STIPULATION, IT IS SO ORDERED:

As stipulated by the parties, (1) the Center for Biological Diversity shall file any briefing to request the immediate release of the recently discovered documents by October 27, 2009 at 4:00 p.m.; (3) OMB shall file any responsive briefing by October 29, 2009 at 4:00 p.m.; and (2) the next Case Management Conference in this matter shall take place on November 2, 2009 at 3:00 p.m.

Dated: October 14, 2009

HON. MARILYN PATEL
United States District Court

